



February 28, 2014

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# ENGROSSED HOUSE BILL No. 1258

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DIGEST OF HB 1258 (Updated February 26, 2014 1:32 pm - DI 104)

**Citations Affected:** IC 25-22.5.

**Synopsis:** Telehealth pilot program. Requires the medical licensing board to: (1) establish a pilot program to provide telehealth services to patients in Indiana; and (2) report to the legislative council before September 1, 2014 concerning the pilot program. Sets forth requirements of the pilot program.

**Effective:** Upon passage.

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## Shackleford, Davisson, Clere, Stemler

(SENATE SPONSORS — MILLER PATRICIA, BECKER, BREAUX,  
TAYLOR, CHARBONNEAU)

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January 14, 2014, read first time and referred to Committee on Public Health.  
January 23, 2014, reported — Do Pass.  
January 27, 2014, read second time, ordered engrossed. Engrossed.  
January 28, 2014, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

February 4, 2014, read first time and referred to Committee on Health and Provider Services.  
February 27, 2014, amended, reported favorably — Do Pass.

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EH 1258—LS 6758/DI 77





February 28, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1258

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-22.5-14 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]:

4 **Chapter 14. Indiana Telehealth Services Pilot Program**

5 **Sec. 1. As used in this chapter, "telehealth services" means the**  
6 **use of telecommunications and information technology to provide**  
7 **access to health assessment, diagnosis, intervention, consultation,**  
8 **treatment, supervision, and information across a distance.**

9 **Sec. 2. (a) Before August 1, 2014, the board shall establish a**  
10 **pilot program to provide telehealth services to patients in Indiana**  
11 **without the establishment of an in person patient-physician**  
12 **relationship.**

13 **(b) The pilot program must include the following:**

14 **(1) Requirement that the services be provided by a physician**  
15 **licensed under IC 25-22.5 who has an established physical**  
16 **practice in Indiana.**

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1       **(2) Standards and procedures determined by the board for**  
2       **physicians to practice in providing services in the pilot**  
3       **program, including the following:**

4           **(A) The documentation and storage of a patient's medical**  
5           **records.**

6           **(B) Secure technology that complies with the federal**  
7           **Health Insurance Portability and Accountability Act.**

8       **(3) Determination by the board as to whether services**  
9       **provided in the pilot program may include the issuance of a**  
10       **prescription when providing telehealth services under the**  
11       **pilot program. However, the pilot program may not include**  
12       **the issuance of a prescription for a controlled substance.**

13       **(4) The types of services that may be provided under the pilot**  
14       **program, including a prohibition on the provision of**  
15       **emergency care.**

16       **(5) The geographic area that will be served under the pilot**  
17       **program.**

18       **(6) The duration of the pilot program.**

19       **Sec. 3. Not later than September 1, 2014, the board shall report**  
20       **to the legislative council in an electronic format under IC 5-14-6**  
21       **concerning the pilot program, including implementation of the**  
22       **pilot program. The board shall include in the report required**  
23       **under this section whether any legislation is needed for the**  
24       **implementation of the pilot program.**

25       **SECTION 2. An emergency is declared for this act.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1258, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1258 as introduced.)

Committee Vote: Yeas 11, Nays 0

Representative Clere

## COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1258, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 4, delete "Distance Treatment" and insert "**Indiana Telehealth Services Pilot Program**".

Page 1, delete lines 5 through 16, begin a new paragraph and insert: "**Sec. 1. As used in this chapter, "telehealth services" means the use of telecommunications and information technology to provide access to health assessment, diagnosis, intervention, consultation, treatment, supervision, and information across a distance.**

**Sec. 2. (a) Before August 1, 2014, the board shall establish a pilot program to provide telehealth services to patients in Indiana without the establishment of an in person patient-physician relationship.**

**(b) The pilot program must include the following:**

**(1) Requirement that the services be provided by a physician licensed under IC 25-22.5 who has an established physical practice in Indiana.**

**(2) Standards and procedures determined by the board for physicians to practice in providing services in the pilot program, including the following:**

**(A) The documentation and storage of a patient's medical records.**

**(B) Secure technology that complies with the federal Health Insurance Portability and Accountability Act.**

**(3) Determination by the board as to whether services**



provided in the pilot program may include the issuance of a prescription when providing telehealth services under the pilot program. However, the pilot program may not include the issuance of a prescription for a controlled substance.

(4) The types of services that may be provided under the pilot program, including a prohibition on the provision of emergency care.

(5) The geographic area that will be served under the pilot program.

(6) The duration of the pilot program.

**Sec. 3. Not later than September 1, 2014, the board shall report to the legislative council in an electronic format under IC 5-14-6 concerning the pilot program, including implementation of the pilot program. The board shall include in the report required under this section whether any legislation is needed for the implementation of the pilot program."**

Page 2, delete lines 1 through 17.

and when so amended that said bill do pass.

(Reference is to HB 1258 as printed January 24, 2014.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 10, Nays 0.

